

**ENTERED**

September 26, 2023

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

LLOYD E. KELLEY, §  
§  
*Plaintiff,* §  
§  
v. § CIVIL ACTION NO. H-22-2168  
§  
RINGO LANZETTI, *et al.*, §  
§  
*Defendants.* §

**ORDER**

The motion to dismiss filed by defendants Lanzetti, Metler, Uglum, Pilgeram, Zupanc, and Mead (Docket Entry No. 8) is **DISMISSED AS MOOT**. Defendants' motion for summary judgment and supplemental motion to dismiss (Docket Entry No. 21) essentially supplant and expand the original motion to dismiss and remain pending before the Court.

Defendants' motions to disqualify opposing counsel (Docket Entry No. 25) and motion for sanctions (Docket Entry No. 23) are **DENIED WITHOUT PREJUDICE**. The motion to disqualify will be reconsidered should the pending dispositive motions be denied. The motion for sanctions will be reconsidered should the pending dispositive motions be granted.

Signed at Houston, Texas, on this 26 day of September, 2023.

  
KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE